

REMARKS

In this response, claims 1-24 have been cancelled without prejudice. In an effort to more clearly define the invention so as to overcome the objections and rejections set forth by the Examiner in the Office Action mailed August 24, 2005, Applicant has presented new claims 25-32. Reconsideration of the above-identified patent application is hereby requested in view of the new claims and the following remarks.

REJECTIONS UNDER 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-5 under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent 5,625,345, issued to Stark et. al (hereinafter Stark). In this response, claims 1-5 have been canceled. New claims 25-32 are directed at the same subject matter as claims 1-5. However, as discussed in more detail below, Applicant respectfully submits that Stark does not anticipate any of claims 25-31 and, therefore, claims 25-31 are in condition for allowance.

It is axiomatic that for a reference to be anticipatory, each and every feature in the claims must be disclosed by a single reference. The Examiner acknowledges that the smoke detecting power strip disclosed in Stark is comprised of two separate components, namely 122 and 124. Referring to Fig. 7 of Stark, it can be seen that the smoke detector component 122 is enclosed by a first housing equipped to be "selectively attachable to a substrate and most preferably to the stem of a Christmas tree". U.S. Patent No. 5,625,345 at 3: 9-10. The shut off mechanism component 124 is separate from the smoke detector component 122 and includes a separate housing for hosting the internal components required for terminating power flow. Smoke detection by the detector 122 causes the two components 122 and 124 to communicate with each other to

accomplish power shut-off.

By contrast, new claims 25-32 specify that the smoke detecting power strip is comprised of a single housing. The smoke detector is integrated within the same housing that hosts all internal components and circuitry required for supply and shut-off. Thus, as opposed to Stark, the device and method set forth in claims 25-32 accomplish smoke detection and power shut-off without reliance on a communications link between two or more distinct and/or remote components. As such, Applicant respectfully submits that Stark has been overcome and, therefore, requests allowance of the above referenced claims.

REJECTIONS UNDER 35 U.S.C. § 103

The Examiner has rejected claims 7-9, 10-11, and 17-21 under 35 U.S.C. § 103(a) as being unpatentable over Stark. As discussed above however, Stark does not teach the elements of including the smoke detector and power supply and shut-off circuitry within a single housing. Thus, even when combined with the well known use of a beam interference smoke detector, Stark does not render the invention claimed in claims 25-32 obvious.

CONCLUSION

In view of the foregoing Remarks and the new claims submitted herewith, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

Respectfully submitted,

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